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PATENT
Case SU-7245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JONATHAN N. HOWARTH ET AL.

SERIAL NO.: 10/028,631

FILED: DECEMBER 21, 2001

MICROBIOLOGICAL CONTROL IN
ANIMAL PROCESSING

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Enclosed herewith for consideration by the Examiner is a third Supplemental Information
Disclosure Form PTO/SB/08B together with a copy of each document listed thereon.

Respectfully Submitted,

John F. Sieberth
Reg. No. 17,704
Attorney of Record

09/14/2004 GWORDOF1 00000039 502768 10028631
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Deborah A. Brouillette



PTO/SB/08B (08-03)

Approved for use through 05/31/2003. OMB 0651-0031

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT Third Supplemental (use as many sheets as necessary) | | Application Number | 10/028,631 |
| | | Filing Date | 12/21/2001 |
| | | First Named Inventor | Howarth et al. |
| | | Group Art Unit | 1616 |
| | | Examiner Name | Neil S. Levy |
| Sheet 1 | of 2 | Attorney Docket Number | SU-7245 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | L-2 | Blaser, Martin J., et al., "Inactivation of <i>Campylobacter jejuni</i> by Chlorine and Monochloramine", Applied and Environmental Microbiology, vol 51, no. 2, 1986, ppg 307-311. | |
| | L-3 | Carr, Anitra C., "Differential reactivities of hypochlorous and hypobromous acids with purified Escherichia coli phospholipid: formation of haloamines and haloaldehydes", Biochimica et Biophysica, 1392, 1998, ppg 254-264. | |
| | L-4 | Dickens, J.A., et al., "Efficacy of an Herbal Extract on the Microbiological Quality of Broiler During a Simulated Chill", Poultry Science, 2000, vol 79, ppg 1200-1203. | |
| | L-5 | Fabrizio, K.A., et al., "Comparison of Electrolyzed Oxidizing Water with Various Antimicrobial Interventions to Reduce Salmonella Species on Poultry", Poultry Science, 2002, vol 81, ppg 1598-1605. | |
| | L-6 | Hawkins, Clare L., et al., "Hypochlorite- and Hypobromite-Mediated Radical Formation and Its Role in Cell Lysis", Archives of Biochemistry and Biophysics, vol 395, no. 2, November 15, 2001, ppg 137-145. | |
| | L-7 | Kumar, Krishan, et al., "Kinetics and Mechanism of General-Acid-Assisted Oxidation of Bromide by Hypochlorite and Hypochlorous Acid", Inorg. Chem., 1987, vol 26, ppg 2706-2711. | |
| | L-8 | Lillard, H.S., "Effect of Trisodium Phosphate on Salmonellae Attached to Chicken Skin", Journal of Food Protection, vol 57, no. 6, June 1994, ppg 465-469. | |
| | L-9 | Mead, G.C., et al., "The Effectiveness of In-plant Chlorination in Poultry Processing", Br. Poult. Sci., vol 16, 1975, ppg 517-526. | |
| | L-10 | Northcutt, J.K., et al., "Effect of Broiler Age, Feed Withdrawal, and Transportation on Levels of Coliforms, Campylobacter, Escherichia coli and Salmonella on Carcasses Before and After", Poultry Science, 2003, vol 82, | |
| | L-11 | Patterson, J.T., "Chlorination of Water Used For Poultry Processing", British Poultry Science, vol 9, part 2, 1968, ppg 129-133. | |
| | L-12 | Selk, S.H. et al., "Comparative Antimicrobial Activity, In Vitro and In Vivo, of Soft N-Chloramine Systems and Chlorhexidine", Applied and Environmental Microbiology, Apr. 1982, pp 899-904. | |

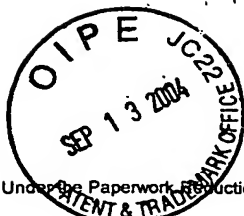
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT Third Supplemental (use as many sheets as necessary) | | Complete if Known | |
| | | Application Number | 10/028,631 |
| | | Filing Date | 12/21/2001 |
| | | First Named Inventor | Howarth et al. |
| | | Group Art Unit | 1616 |
| | | Examiner Name | Neil S. Levy |
| | | Attorney Docket Number | SU-7245 |
| Sheet | 2 | of | 2 |

| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | L-13 | Tamblyn, K.C., et al., "Utilization of the Skin Attachment Model to Determine the Antibacterial Efficacy of Potential Carcass Treatments", Poultry Science, 1997, vol 76, ppg 1318-1323. | |
| | L-14 | Tsai, Lee-Shin, et al., "Chlorination of Poultry Chiller Water: Chlorine Demand and Disinfection Efficiency", Poultry Science, 1992, vol 71, ppg 188-196 | |
| | L-15 | "Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems; Final Rule", Federal Register, July 25, 1996, vol 61, no 144, pg 38806-38814 and 38854-38855. | |
| | L-16 | Vissers, Margret C.M., et al., "Comparison of human red cell lysis by hypochlorous and hypobromous acids: Insights into the mechanism of lysis", Biochem. J., vol 330, 1998, ppg 131-138. | |
| | L-17 | Vissers, Margret C.M., et al., "Fatty acid chlorohydrins and bromohydrins are cytotoxic to human endothelial cells", Redox Report, vol 6, no. 1, 2001, ppg 49-55. | |
| | L-18 | Wabeck, Charles J., "Methods to Reduce Microorganisms on Poultry", Broiler Industry, December 1994, ppg 34, 36, 38, 40, 42. | |
| | L-19 | Yang, Hong, et al., "Survival and Death of Salmonella Typhimurium and Campylobacter jejuni in Processing Water and on Chicken Skin during Poultry Scalding and Chilling", Journal of Food Protection, vol 64, no 6, 2001, ppg 770- | |
| | L-20 | "9215 C. Spread Plate Method", Microbiological Examination (9000), ppg 9-38 - 9-40. | |
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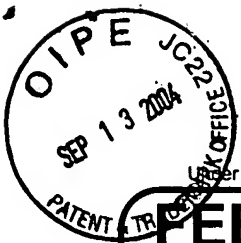
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|--|----------|--------------------------|---------------------|---------|
| FEE TRANSMITTAL for FY 2004 <i>Effective 10/01/2003. Patent fees are subject to annual revision.</i> | | Complete if Known | | |
| | | Application Number | 10/028,631 | |
| | | Filing Date | 12/21/2001 | |
| | | First Named Inventor | Jonathan N. Howarth | |
| | | Examiner Name | Neil S. Levy | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | Art Unit | 1616 | Attorney Docket No. | SU-7245 |
| TOTAL AMOUNT OF PAYMENT (\$) | | \$180.00 | | |

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| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | | |
| <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None | | 3. ADDITIONAL FEES | | | | | |
| <input checked="" type="checkbox"/> Deposit Account: | | Large Entity Small Entity | | | | | |
| Deposit Account Number | | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
| 502768 | | 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| Sieberth & Patty, L.L.C. | | 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| The Director is authorized to: (check all that apply) | | 1053 | 130 | 1053 | 130 | Non - English specification | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments | | 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) | | 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| FEE CALCULATION | | 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1. BASIC FILING FEE | | 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| Large Entity | Small Entity | 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| Fee Code | Fee (\$) | 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1001 | 770 | 2001 | 385 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1002 | 340 | 2002 | 170 | 2401 | 165 | Notice of Appeal | |
| 1003 | 530 | 2003 | 265 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1004 | 770 | 2004 | 385 | 2403 | 145 | Request for oral hearing | |
| 1005 | 160 | 2005 | 80 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| SUBTOTAL (1) (\$) | | 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| | | 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 2. EXTRA CLAIM FEES FOR UTILITY AND | | 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| Total Claims | | 1502 | 480 | 2502 | 240 | Design issue fee | |
| Independent Claims | | 1503 | 640 | 2503 | 320 | Plant issue fee | |
| Multiple Dependent | | 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| Extra Claims | | 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR § 1.17(q) | |
| Fee from below | | 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Statement | 180.00 |
| Fee Paid | | 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| Large Entity | | 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| Small Entity | | 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| Fee Code | | 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| Fee (\$) | | 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |
| Fee Description | | Other fee (specify) _____ | | | | | |
| 1202 | | 18 | 2202 | 9 | Claims in excess of 20 | | |
| 1201 | | 86 | 2201 | 43 | Independent claims in excess of 3 | | |
| 1203 | | 290 | 2203 | 145 | Multiple dependent claim, if not paid | | |
| 1204 | | 86 | 2204 | 43 | ** Reissue independent claims over original patent | | |
| 1205 | | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | | |
| SUBTOTAL (2) (\$) | | SUBTOTAL (3) (\$) | | | | | |
| \$0.00 | | \$180.00 | | | | | |

| | | | |
|---------------------|------------------|-----------------------------------|--------------------|
| SUBMITTED BY | | Complete (if applicable) | |
| Name | John F. Sieberth | Registration No. (Attorney/Agent) | 17,704 |
| Signature | | Telephon | 225/291-4600 |
| | | Date | September 10, 2004 |

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